

STANDING COMMITTEE REPORT OF ACTION TAKEN

## REPORT OF ACTION TAKEN

## MEETING OF CREDITORS

1/3

In re:

LUIS FELIPE ROSA CORTES

Case No. 08-07427-SEK

IRMA TERESA RODRIGUEZ RIVERA

Chapter 13

Attorney Name: JUAN O CALDERON LITHGOW\*

## I. Appearances

Debtor ☒ Present ☐ Absent  
 Joint Debtor ☒ Present ☐ Absent  
 Attorney for Debtor ☒ Present ☐ Absent  
☐ Pro-se  
☐ Substitute \_\_\_\_\_

Date: January 30, 2009

Time: 11:30 AM Track: 008  
☐ This is debtor(s) ☒ Bankruptcy filing.Liquidation Value: TBD

Creditors

Romer - Money Express

## II. Oath Administered

☒ Yes ☐ No

## III. Documents Filed/Provided

☒ Schedules ☐ DSO Recipient's information  
☒ Statement of Financial Affairs (SOFA) ☒ State Tax Returns 04-07 ☒ Returned  
☒ Statement of Current Monthly Income (SCMI) ☒ Federal Tax Returns 04-07 ☒ Returned  
☒ Credit counseling briefing certificate (CCC) ☐ Evidence of income (60 days prior to petition)  
☐ Waiver requested by debtor(s)  
☒ DSO Certificate

IV. Status of Meeting ☒ Closed ☐ Not Held ☐ Continued \_\_\_\_\_ at \_\_\_\_\_

## V. Trustee's Report on Confirmation

☐ FAVORABLE  
☒ UNFAVORABLE

☐ Feasibility ☐ No DSO certificate (Post-petition)  
☐ Insufficiently funded ☐ Evidence of income  
☐ Unfair discrimination ☐ Missing ☐ Incomplete  
☒ Fails liquidation value test ☐ Stmt. of Current Monthly Income  
☐ Fails disposable income test (I & J) ☐ Incomplete ☐ Missing  
☐ No provision for secured creditor(s) ☐ Fails commitment period ☐ Fails Disp. Income  
☐ Certificate of Credit briefing  
☐ Missing ☐ More than 180 days  
☐ Issuer not certified by U.S.T.  
☐ Treat value of collateral separately ☐ Incomplete schedules  
☐ No provision for insurance ☐ Incomplete S.O.F.A.  
☐ Tax returns missing ☐ Other:  
☐ State - years \_\_\_\_\_  
☐ Federal - years \_\_\_\_\_

STANDING CHIEF TRUSTEE ALEJANDRO OLIVERAS RIVERA

REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

LUIS FELIPE ROSA CORTES

Case No. 08-07427-SEK

IRMA TERESA RODRIGUEZ RIVERA

Chapter 13

Attorney Name: JUAN O CALDERON LITHGOW\*

## VI. Plan

(Cont.)

Date: November, 28, 2008 Base \$ 15,900.00 ☒ Filed Evidence of Pmt shown: \_\_\_\_\_  
 Payments 2 made out of 2 due. ☐ Not Filed

VII. Confirmation Hearing Date: January, 23, 2009

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 276.00 = \$ 2,724.00

IX. Documents to be provided w/in \_\_\_\_ days

☒ Amended schedules B → Doral sav/checking acct☒ Insurance estimatefor auto loan to be paid to Capital☐ Assumption/Rejection executory contract Stable☒ Appraisal 2008 appraisal (debtor informed he had one)☐ State tax returns years \_\_\_\_\_☐ Federal tax returns years \_\_\_\_\_☐ Correct SS # (Form B21)☐ Debtor ☐ Joint debtor☒ Other: evidence Nov - Jan 2008☒ Amended S.O.F.A. line 1 - include 2008☒ Amended plan to provide for tax☐ Business Documents refunds to be☐ Monthly reports for the months paid into the plan☐ Public Liability Insurance☐ Premises \_\_\_\_\_☐ Vehicle(s) \_\_\_\_\_☒ Licenses issued by:IVU certificate (for prior trucking business) and IVU for current self employment with father☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments;☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (§109); \_\_\_\_\_☐ Other: \_\_\_\_\_

## COMMENTS

Debtors' average tax refunds with state is \$4,108; however these are based on debtors' prior work as truck driver. He now earns approx \$2,000 gross as handyman and providing maintenance to boats owned by his father. Debtor to amend plan to provide for tax refunds to be paid into the plan, if any.

Debtor to amend plan to step up pymts. 1st mortgage is paid off in month 27 (pays \$500 monthly)

Trustee/Presiding Officer

Date: January 30, 2009

(Rev.)

## STANDING CHAPTER 13 TRUSTEE ALFONSO COLIVERAS RIVERA

## REPORT OF ACTION TAKEN

## MEETING OF CREDITORS


In re: Luis Felipe Rosa Cortés  
Ernesto T. Rodríguez Rivera

Case No. 08-07427-SEN

Chapter 13

## COMMENTS

- (3) Amend plan to indicate account number of  
 Doral loan with arrears
- (4) Amend plan to provide that debtors will make  
 direct payments on first and second mortgage
- (5) Debtors to Amend Schedule C to claim exemption  
 under 522(d)(1) for \$40,400
- (6) Amend Schedule B to exclude 1998 Ford  
 Explorer because it belongs to daughter and amend  
 Schedule C to delete exemption take for this  
 vehicle
- (7) Amend Schedule I to reduce transp expenses  
 and include tax expense for self employment

  
 Presiding Officer

1/30/09  
 Date